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JOHN WARWICK DANIEL

ADDRESS

DELIVERED AT THE

UNVEILING OF EZEKIEL'S STATUE OF
SENATOR DANIEL, AT LYNCHBURG, VA.

MAY 26, 1915

BY

WILLIAM M. THORNTON



PRESENTED BY MR. MARTIN

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JOHN WARWICK DANIEL.*

BY WILLIAM M. THORNTON.

We are met to-day to do honor to the memory of a great Virginian. Born and reared in this city, he made it always his home—the center of his deepest affection, the focus of his strongest activities. Here he grew to manhood; here he lived and loved and labored; here he died; and here at last he was buried. It is meet and right that here in Lynchburg should be reared the noble bronze which shall tell to coming ages the name and the fame of John Warwick Daniel. Soldier and orator, jurist and statesman, lawgiver and Senator, with a loyalty rooted like Virginia's mountains in the Virginian soil, with a patriotism broad as our Continent, this he was to all his countrymen, to all Americans. To us Virginians, to you, men and women of Lynchburg, he was more. This bronze effigy fitly figures the stately dignity and courtesy of the man, his high political seriousness, the austere beauty of a countenance like that of some Roman patrician of the Augustan age. It tells nothing of the heart which beat so warmly in that dauntless breast; nothing of the magnetic gaze which seemed to draw other hearts into his allegiance; nothing of the mellow harmonies of that magic voice which seemed to claim us all as his friends; nothing of the proud affection which welcomed all Virginians as his brothers. Let us spend a few short minutes in saying concerning this great Virginian some of the things which no bronze can ever say.

FIRST PERIOD.

John Warwick Daniel was born the 5th of September, 1842; he died 29th of June, 1910. His 68 years of life, so rich in events, in duties bravely done, in responsibilities nobly borne, in honors worthily won and generously given, fall naturally into three well-marked periods: From his cradle to Appomattox, from Appomattox to Washington, from Washington to America's great hall of fame. Let me sketch a few pictures for you from the first of these periods.

The first picture which comes before us shows a mother, beautiful and young and tender, bending in adoration over the slumber of her first-born child. It is Sarah Anne Warwick and the child is John Warwick Daniel. Too soon this picture fades from our view. The fragile young mother is called away from earth to heaven and John Daniel and his infant sister pass to the care of their grandparents, inheriting, it may be, a love all the richer for their orphan state.

Daniel himself paints for us the next picture in the series, a portrait of John Warwick, his grandfather, in whose affluent home his boyhood was passed.

A nobler man never lived—hospitable, gentle, calm, self-poised—a gentleman in honor, in manners, in innate refinement. A pure and lofty soul, he seemed

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to me to be everything that a man could be to be respected and loved. Successful from his youth in business, he was rich and generous without pretension or pride. Yet when the end of the Civil War prostrated his fortune and he became old and almost blind his easy dignity lost no feature of its serene composure, and out of his true heart came no complaint of man or fortune.

As we view this portrait we seem to recognize the source of that peculiar charm which Daniel's colleague, Senator Lodge, so beautifully characterized, "that grave courtesy, which never wavered; these manners, serious, gracious, elaborate, if you please, but full of kindness and thought for others, which can never really grow old or pass out of fashion," even in our hurried, hustling time.

The winged years sweep swiftly past and soon a fresh picture greets our view. We see on the rostrum of the Lynchburg Military College a handsome youth of 16 years. His inborn tastes for debate and declamation have already declared themselves, and John Daniel has been selected to represent his class. The world was still thrilling with the blood-stained story of Balaklava when Daniel rose to his feet and with impassioned eloquence recited to his auditors a poem new to most of them—Tennyson's immortal "Charge of the Light Brigade."

"Forward the Light Brigade!"
Was there a man dismayed?
Not tho' the soldier knew
Some one had blundered—
Their's not to make reply;
Their's not to reason why;
Their's but to do and die;
Into the Valley of Death
Rode the six hundred.

Already the souls of Virginians were stirred by somber premonitions, and it is easy to realize in fancy how these splendid stanzas, hot from the heart of this beautiful young orator, may have pealed into their ears vague prophecies of the coming storm—of Jackson and the Stonewall Brigade, of Lee and the Army of Northern Virginia.

Two more years of peace were vouchsafed our country, and in these years Daniel gained new and priceless visions of life and letters. From 1825 to 1828 the great Latinist, George Long, had labored at the University of Virginia to found a school of the Classical Languages and Literatures. When he resigned his chair to return to England his mantle fell on the shoulders of a young Virginian, the most brilliant of his pupils, Gessner Harrison. Thirty years of service for his alma mater had left Gessner Harrison poor in purse but rich in scholarship, in experience, in the love of his old students, in the esteem of his colleagues, in the admiration of men of learning, in the confidence of Virginians and of the whole South. His extended knowledge of the educational situation in the Southern States assured him that a great work awaited the man who should establish a high-class preparatory academy for students desirous of adequate training for a course of university studies. In 1839 he resigned his professorship and organized such an academy, occupying for the first year rented quarters at Locust Grove, near Greenwood, in Albemarle County, and then removing to a purchased estate called Belmont, in Nelson County. Daniel, with his high ambitions, was at once drawn to this man, the greatest classical master of his generation in America. Entering the new academy at Locust

Grove and following the headmaster to Belmont, he came under the inspiration of a teacher of rare sagacity and power, a man who added the graces of the Christian to the culture of the scholar. We have no means after so many troubled years of evaluating the specific influences of this school upon Daniel's intellectual tastes and modes of thought. One of the schoolboys of that day writes thus pleasantly about him:

John Daniel's principal claim to distinction at school was his wonderful dexterity in the game of bandy. He was by all odds the best player in the school. His other big activity was in the debating society, and at the end of the session he was the orator, John Selden being the essayist. Daniel had the same quality then as subsequently of carrying away his audience by his rhetoric, his splendid musical voice, and his wonderfully handsome features. He was already an accomplished elocutionist.

Another schoolfellow, one of his more intimate friends, adds to the little picture some very telling strokes:

John Daniel was a dignified youth, but full of comradery. Yet he never allowed this to interfere with his work, being a good and close student, already ambitious to fit himself for a great career as a lawyer and orator. There was never a squarer boy; his mere presence was a check to ribaldry and black-guardism. He had the divine gift of being fair to his opponents, but he demanded a return in kind. If he had not become a great man and, better still, a greatly loved man, all schoolboy signs would have failed. I loved him then and now revere his memory.

There you have him before you, a square boy, a high-minded boy, an ambitious boy, a gifted boy—ready to ripen under the fervid heat and strife of war into a valiant soldier and a true patriot.

The fateful spring of 1861 saw the storm of war burst over Virginia. Daniel withdrew from the academy, returned to his home in Lynchburg, and enlisted as a private in the Wise Troop of Cavalry, then recruiting in his native city. His knowledge of tactics gained in the Lynchburg Military College soon brought him a commission. On the 8th of May, 1861, he was appointed second lieutenant in the Provisional Army of Virginia, was assigned to duty with Company C, Twenty-seventh Virginia Infantry, the nucleus of the famous Stonewall Brigade, and was ordered to report to Harpers Ferry to Lieut. Col. Thomas J. Jackson. There he spent several busy weeks as drillmaster.

Our next picture of him comes from the historic battle ground of Bull Run. Already he had been hit twice. Once a flying fragment from an exploded shell struck his head, but his cap saved him from serious hurt. Again a spent bullet struck him full in the breast and felled him to the ground; this time it was the metal button on his coat which saved him. Presently, in a fierce charge, the regimental color sergeant was shot down. Daniel sprang to his side, seized the standard, waved it aloft, and with it pressed forward until relieved by command. Then a rifle bullet found him, and, shot through the left hip, he fell to the earth. Using two muskets as crutches he limped from the field, and was later borne away and sent to his home in Lynchburg, where for several weeks he remained on a bed of fevered suffering.

Another picture comes to us. His gallant conduct at Bull Run secured him well-deserved promotion. He is now first lieutenant and adjutant of his regiment, Eleventh Virginia Infantry. Lee had outgeneraled McClellan, crossed the Potomac, and advanced into Maryland. With his wonted audacity he had divided his little army,

although in the presence of a superior force of the enemy, had sent Jackson back to reduce Harpers Ferry, and with Longstreet was awaiting Jackson's return. His purpose was first to crush McClellan by the simultaneous impact of his two victorious corps and then, marching upon Washington, dictate an honorable peace beneath the Dome of the National Capitol. Suddenly, after nightfall of the 13th of September, 1862, the news comes that by some fatal error on the part of Lee's staff the copy of his general orders sent to D. H. Hill had been duplicated: that one of the two copies had been lost at Frederick, found by a Union civilian, and placed in McClellan's hands.

The emergency was frightful. If McClelland had been capable of swift and vigorous action it would have been easy for him to occupy the mountain passes, thrust his army between the divided corps of Jackson and Longstreet, and annihilate Lee in detail. Grey troops were hurried back to Cramptons and Turners Gaps, and to the latter point Daniel's regiment was sent. The Federal assault upon this position began at 7 o'clock on the morning of the 14th of September, 1862—one Confederate brigade defending the pass against 18 Federal brigades. The southerners were pressed slowly back and back. The general was killed: the men were utterly exhausted. But before their adversaries could utilize their advantage Confederate reinforcements came up, darkness fell, and the day was saved.

It is in the midst of this desperate and unequal conflict that we get our new picture of Daniel. He stands in line of battle guarding the mountain pass and, as he shifts his pistol from one hand to the other, the bullet from a Federal rifle perforates the hand that grasps the weapon and flattens itself against the pistol stock. Daniel slipped his unwounded hand into his pocket, drew out and opened his pocket knife, then coolly slit the skin of his hand and picked the bullet out. When the days of peace returned he had it mounted as a watch charm, and wore it for a souvenir of this heroic day. Luckily no bones were broken, but the wound was too serious to be tampered with, and Daniel was again perforce off duty for many weeks.

One more picture—the date is March, 1863. Our boy soldier is a major now—major at 20 in the Army of Northern Virginia, assistant adjutant general, and a member of Gen. Early's staff. No Lynch-burger needs to be told who Jubal Early was; dour old fighter, with his grim air and his rasping tongue, and behind it all a heart compact of pure courage and kindliness and honor and truth. Daniel himself has sketched him for us—"a man of peace before the war, a man of battles during the war, a hero in fidelity and fortitudes after the war, and the very incarnation of its glorious memories." They were both your fellow townsmen and you can picture them side by side—the bearded old warrior and the young staff officer with his classic face and his patrician air. Abrupt, rough, peremptory, formidable Early whips out one of his usual oaths and orders Daniel upon some urgent duty. The young adjutant drew himself to attention, looked the old general squarely in the eye, and with perfect courtesy and calm answered—

General, when you address me as one gentleman should address another, I will obey your orders; but not otherwise.

The bullets of Bull Run and Boonsboro were nothing to this. But Early was too true a man, too good a soldier, not to see his own fault

and make swift amends. The relation of general and staff officer grew into a devoted friendship, and in that splendid eulogy pronounced by Daniel above Early's open grave we hear the voice not of a subordinate recounting the exploits of his honored chieftain; not of a comrade, sharer of ten thousand glorious memories; but the voice of a loyal and loving son, who heaps laurels and rains tears upon his dead father's beloved form.

We must hurry on down the long gallery of these heroic scenes; time presses and I can make room for but one more picture from this period of Daniel's life. We pass Fredericksburg, Winchester, Gettysburg; splendid settings as they were for the valorous deeds of Early and Early's Division, they may not detain us. The time is the springtide of 1864; the place the Wilderness of Spottsylvania. Amid these dim thickets, where the battle smoke and blood reek of Chancellorsville seemed still to linger, Lee and his immortal Army of Northern Virginia were at grips with Grant, the most formidable of all his adversaries. It was the campaign in which Lee's gaunt grey line faced by overwhelming forces killed and disabled more of their enemies than the total of their own numbers. Here on the 6th of May, 1864, Daniel saw a southern colonel shot dead and his regiment thrown into confusion. Prompt action was needed; Daniel spurred his horse to the front, reformed the broken lines under a terrific fire, and was about to lead them again into the fight. Just at this critical moment a hostile bullet struck him down; the dauntless young Virginian dropped from his saddle, his thigh bone shattered and the femoral artery severed by the ball. He dragged himself for shelter behind a fallen log and there, with no surgeon in reach, he found himself hopeless of rescue and fast bleeding to death. With rare presence of mind he unwound from his waist the silken sash that showed his military rank and improvised a tourniquet for the injured limb. His life was thus saved, but his soldier's career was closed. No more campaigns, no more battles, no more promotions; but out of those heroic days he brought what he deemed the most honorable of all his titles—major in the Army of Northern Virginia. Then Appomattox came and the first period of Daniel's life was ended.

SECOND PERIOD.

Peace once more; arms stacked and battle flags furled; Virginia one great impoverished, hoof-beaten desert; but still men called it peace! The veterans of the Army of Northern Virginia were summoned to take up life anew—to mould the shattered fragments again into strength and wholeness. A few, desperate of the future, sank into despondency and inaction; that was not John Daniel's way. A few abandoned Virginia and made for themselves new lives in sister States or foreign lands; neither was that John Daniel's way. Lee had declared himself resolute to "abide the fortunes and share the fate of my own people."

And Daniel thought like Lee. Inherited aptitudes and family traditions marked out for Daniel his one sure path. That path he followed for his country's great good and his own great glory.

John Daniel was the son of an able lawyer and distinguished judge. William Daniel, jr., after a brilliant career at the bar, revealing lofty standards of character and rare abilities, was elected in 1846, at the

age of 40 years, to a seat upon Virginia's court of last resort, the Supreme Court of Appeals, and there served his State with diligence and distinction until in May, 1865, the Federal President abolished the self-organized government of the Commonwealth and set up Francis H. Pierpont as provisional governor of Virginia.

John Daniel was also the grandson of a great lawyer. William Daniel, sr., was a man of distinction and power, the friend and associate of James Madison, one of the judges of the Circuit Court of Virginia, and as such a member of the General Court, which until 1851 exercised the functions of our present Court of Appeals. His luminous and vigorous opinions are still quoted, and his name stands high in the judicial history of Virginia for clear vision and incorruptible integrity.

With such forbears John Daniel seemed predestinated for the profession of the lawyer.

By the autumn of 1865 the University of Virginia had been rehabilitated out of the private means of its faculty, and on the 1st of October it was again opened for students. More than two hundred men presented themselves for admission, most of them Confederate veterans, and among these came John Daniel, limping on his crutch. The head of the law school of that day was John B. Minor, the man of whom Daniel said in after years—

I do not believe his superior as a law teacher ever existed. Patience, prudence, and punctuality; concentration and continuous attention to the business in hand; infinite tact and painstaking; sweetness of temper, mild and winning manner, unfailing courtesy and consideration, and modesty withal—with what long and laborious fidelity has he exercised these virtues.

Such was the man at whose feet John Daniel sat during the session of 1865-66. The methods of instruction developed by Prof. Minor exerted a powerful influence on Daniel's professional life. I am told by competent authority that his own writings are penetrated through and through with the high philosophy of jurisprudence, and one of his dictums was the simple summary of his old teacher's practice:

Take care of the principles and the cases will take care of themselves.

In the fall of 1866 John Daniel entered upon the practice of the law in partnership with his father, who survived until 1873. He was in the prime of his intellectual powers, being only 24 years old; and although his wounds never ceased to ache, they had not then impaired his general health or abated his natural vigor of body or of mind. He was endowed by nature with rare eloquence, beautiful features, a youthful figure of slenderness and grace, a melodious voice, dramatic action, and that inward fire of regulated passion which radiates heat through the eye, the countenance, the gesture of the genuine orator and kindles into flame the emotion of his audience. The influence of good teachers, of a cultured home, of a social order not oblivious of the things of the mind, not yet infected with the virus of materialistic greed, had taught him to know books and to love them, had given him fellowship with those who live the life of the spirit. The experience of four years of war, of camp and march, of tented field and battle line, had taught him to know men and to love them, had given him fellowship with those that tread patiently the dusty highway of our daily life. Fresh from the teachings of a man whom he described as among the "masters of him who seeks himself to master the jurisprudence of the English-speaking family," and

penetrated with the lofty conceptions of legal ethics illustrated in the lives of his own progenitors he entered upon the profession of his own choice with those exalted ideals which touched to noblest issues the conduct of his entire public career. Listen for a minute to his creed:

The great lawyers, whether at the bar or on the bench, have been the men who stood for great moral principles and impressed them into the spirit of the law. The law, indeed, is the public conscience, uttered as the public will, and sanctioned by the public power. It deals with rights in order to defend and preserve them. It deals with wrongs in order to repair or prevent them. It ends in justice, and justice means peace and honor.

It is Daniel's highest distinction that his life, both professional and public, conformed to this exalted creed. Not without insight did his great colleague, Senator Root, of New York, pay to his character this eloquent tribute:

Above all the men whom I have ever known he created an atmosphere which lifted up those about him to the high plane of his own noble purpose.

One more thing must be said of Daniel; despite his affluent eloquence he was an indefatigable, a prodigious worker. Too many men endowed with gifts like his, facile and fluent speakers, trust to their gift and neglect that arduous toil, that profound study, which can alone give to their utterances permanence and value. Into this error Daniel never fell. He bestowed upon his cases before the courts that detailed analysis and searching investigation which made him master of all their complexities and rendered him well-nigh irresistible, whether as advocate or jurist. He prepared himself for his debates in the Senate with the same scrupulous care, and with the same deep and prolonged meditation; and the result is that his orations before that great body are documents not for to-day only but for all time.

"He did not speak on many subjects," said Senator Lodge. "He was not an incessant talker. But upon any topic which engaged his attention he spoke copiously and well, and never failed to show that he had thought much and independently upon the questions involved. He liked large issues because they offered the widest opportunity for speculation as to causes and for visions of the future. This reach of mind made him an American in the largest sense, and showed clearly in that note of intense patriotism which sounded so strongly in his formal addresses."

Only such an assiduous worker as Daniel could have found time in the thick of a large and growing practice for the composition of the two works which he added to the literature of his profession. The first of these on the "Law of Attachments under the Code of Virginia," published in 1869, less than three years after his entrance upon the practice, while little more than a useful compilation, met a genuine professional need and has ever since been constantly used as a standard authority before the Virginia courts. The second work, a masterly treatise on "Negotiable Instruments," published in 1876, was the fruit of eight years of arduous and unassisted labor. Daniel went back in his studies to the original authorities and the records of the courts, pursuing his researches in the great law libraries not of Virginia only, but of the other States of the Union as well. The work is ranked by competent jurists among the few great philosophic dissertations on the law contributed by America to legal literature. It has passed through five editions and remains to-day the great exposition of its theme—without an equal, without even a rival. Men who know Daniel by this book only regret that he abandoned the

law for the seductions of politics, and believe that if he had been faithful to his first mistress his fame as a jurist would have surpassed his renown as a Senator.

It was not to be expected, however, that a man with Daniel's forensic powers, living in an epoch when all the defenses of civilization in the South seemed to be threatened, summoned by his fellow citizens to lead them in a moral war for social and political independence, could withhold his hand. He served in the House of Delegates of Virginia from 1869 to 1872 and in the State Senate from 1874 to 1881. The problem of the readjustment of the State debt had by that time become the vital problem of Virginia politics. The readjusters among the Democrats, making common cause with the Republicans, promulgated a plan for the forcible scaling down of the bonded debt of Virginia, and selected as their candidate for governor a Virginian of ancient lineage, brilliant talents, and aggressive eloquence—William E. Cameron, of Petersburg, Va. The regular Democrats turned to Daniel, who under the compulsion of a profound sense of duty accepted the leadership of a forlorn hope. The campaign which followed was the most thrilling in the political history of Virginia. The ablest men in the Commonwealth threw themselves heart and soul into the struggle, and Daniel led his forces with knightly courtesy and magnetic eloquence. Men crowded in thousands around the platforms from which he spoke, and hung entranced upon his golden periods. He was no match for Cameron in the rough and tumble contests of the stump, nor did he attempt to meet his keen and aggressive adversary on the low plane of sophistical argument and equivocal honesty. Daniel lifted the debate into the high air of spotless honor and stainless rectitude, and so conducted it as to win not the votes of his countrymen in the pending election but the deathless allegiance of their consciences and their souls. The result of the conflict is known to all men; Cameron became the governor of Virginia; Daniel became the leader and commander of the Virginians. From that day forward there was no office of the Commonwealth—whether of trust, or honor, or emolument—which John Daniel could not have had for the asking. From that day forward there was no platform in Virginia which the "Lame Lion of Lynchburg" could tread without evoking a storm of loving applause.

Even before the end of Cameron's term Daniel's reward came to him. He was elected to Congress in 1884 and served in the House of Representatives from 1885 to 1887. In 1886 he was promoted to the United States Senate and was reelected in 1892, in 1898, in 1904, and last in 1910, the year of his death, he was chosen by unanimous vote for a fifth term of six years. When he died he was the ranking Democratic member of the Senate, and in that august body there were only four men who could show a longer period of continuous service. No other Virginian in all history had ever approached this record. What State has ever more richly recompensed the defeated advocate of a lost cause? It is pleasant to record here a brief extract from the beautiful eulogy which appeared in the Norfolk Virginian the morning after Daniel's death, and to know that this just and eloquent tribute came from the pen of his old-time adversary, ex-Gov. William E. Cameron:

Daniel's brilliant record as a soldier, his commanding figure and classic face, his mellowness of tongue and grace of gesture, and a gift of oratory which

lacked no essential quality of natural grace or cultured finish—all these bespoke for him initial popularity; but neither one nor all of these pleasing attributes would have sufficed to establish or protract his primacy in the public heart through the trying political vicissitudes of so many eventful years had he been wanting in those elements of character that owe nothing to chance and yield nothing to change—courage unflinching, truth unquestioned, honor beyond taint or temptation, and a civic conscience as sensitive as that which guided and guarded the conduct of the private gentleman.

Words like these are no less honorable to him who writes than to him of whom they are written. It was Daniel's merit to accept defeat without rancor. It was Cameron's distinction to recognize the essential greatness and nobility of his adversary.

THIRD PERIOD.

Twenty years of arduous professional labor had done much to prepare Daniel for the wider field of action upon which he was now to enter. His knowledge of law, or history, of politics, of government had been enriched by wide reading and profound meditation. The youthful exuberance of his rhetoric showed already marks of the pruning knife, and his orations began to approach that mold of monumental dignity and beauty which arrested attention and won adherents even in the Senate of the United States. I fancy that John Daniel would have named Thomas Jefferson as the greatest American statesman: certainly his own political instincts and ideals were largely these which Jefferson had caused to prevail. Like Jefferson, he trusted the people of his country, because by close intimacy and wide experience he had found them worthy of trust and believed them also worthy of freedom and political power. His abiding faith in the honesty of his fellow citizens, his rooted belief in their common sense, his trust in the appeal to the educated reason of the voters, his assurance that human society is capable of indefinite advancement in virtue and uprightness, his firm conviction that majorities rule not by might alone but of right as well, made of Thomas Jefferson the typical American and the like qualities made of John Daniel the typical Jeffersonian Democrat.

As his colleagues said of Daniel, he was not an incessant talker; but when he talked the Senate listened, for he never spoke unless he had something to say. He dealt as a rule with great questions and spoke only after careful preparation and prolonged meditation upon his theme. These questions he handled in such masterly fashion, with argument so convincing, with eloquence so persuasive, with a temper so lofty and serene, that his discourses will long remain documents worthy of admiration and study. His argument against the force bill of 1890, his exposition of the Monroe doctrine upon the occasion of Cleveland's Venezuelan message, his plea for congressional recognition of the belligerency of Cuba, are permanent additions to American political literature. In each case he dealt with a problem of great and abiding interest; in each case it was necessary to set forth in clear order a vast complex of facts and to carry a long train of intricate argument to a convincing end; in each case it was Daniel's aim to crystallize his conclusion in some memorable phrase, which should make permanent lodgment in the minds of his hearers. It is only by careful reading of these documents that we come to appreciate their luminous clearness, their energetic forcefulness, their perfect artistry. Here are a few samples of his method; but remember that

they are samples only and give you no adequate conception of the vigor and the beauty of the whole.

Of the force bill:

Behind this bill crouches the empre. * * * It is not by anything I say that I hope to affect a vote. But these sacred principles of American liberty neither came from me nor derive any sanction by me. They are my right, they are my people's rights, they are my country's rights. They have flowed down from the headwaters of the Anglo-Saxon race; they have been achieved by the battles of a thousand years; and that for which our country is most famous is the fact that it has been the sternest and the truest of that race in their defense.

Of possible war with Spain:

It is said that this means war. I deny it. I do not wish to see the American people involved in war. I look upon war as one of the greatest calamities that can befall the human race. But there is one other much greater calamity, and that is for the high public spirit of a nation to be so deadened that it can look upon plunder and pillage and murder and arson with indifference and can stifle the truth for venal considerations. It is worse than war for the public spirit of that nation to be so deadened that it hesitates or delays one instant to go forward and to do any act of high and great justice because of fear of war.

Of the Monroe doctrine:

With us are the law and the prophets, and behind us are the intelligent, patient, and patriotic masses of a great people, whose approval of American principles is unmistakable. I fully agree with those who caution us against inflammatory and irritating speeches. * * * But common sense looks at facts as they are, and it is a fact so plain that he who runs may read that this Nation will not recede from the Monroe doctrine. It is not to be expected of us who have time-honored principles to vindicate, an obvious and wise policy to subserve, and a noble, aspiring nation to uphold in its dignity as the paramount power of the Western Hemisphere, to speak in whispers, to start at shadows, or to mope in pusillanimous silence when the corridors of the Capitol are ringing with denunciations of our course, and with ill-conceived belittlements of our fixed faith.

Not the least interesting outcome of Daniel's senatorial career is the steady development in his own nature of that spirit of high-hearted Americanism which made him in his later years a great national figure in our public life. So gradual was the change that it may be doubted whether he himself was conscious of that tidal stream in his own soul, which bore him forward into new seas of emotion and belief. It is when we read his public utterances in their chronological order that we come to see how far the Federal Senator has voyaged from the port whence the Confederate major first set sail. It would be too long to trace out his route in its completeness; we can spare time to look at only a few of the landmarks left by him along the shore.

Here is Daniel the law student of 1866, final orator of the Jefferson Society of the University of Virginia, as he makes his valedictory to his fellow students:

From first to last Virginia was foremost in the picture by the flashing of the guns, and though her fair domain has been reddened with the heart's blood of her children and blackened with the ashes of happy homesteads, we rejoice today as we rebuild our ruins and scatter roses o'er our brothers' graves that all have preserved unstained their sacred honor.

Here is the Daniel of 1877, now a member of the State Senate, speaking from the same platform and once more to an audience of students:

Revere the past; but remember that we can not live in it. As Christ said of the Sabbath, so may we say of the past—it was made for man, not man

for it. * * * We failed to conquer the form; he it ours to strive to conquer the souls of our Northern brethren, with a sublimer faith, a more gracious courage, a broader magnanimity. Magnanimity of the conqueror is a generous concession; magnanimity of the conquered is an heroic achievement. The form of Saxon Harold was conquered at Senlac; his soul lives and conquers still in the blood of our conquering race.

In 1890 he delivered before the General Assembly of Virginia and by their invitation a discourse on the life and character of Jefferson Davis. He discussed the legality of secession and the causes of its overthrow:

The United States have been unified by natural laws, kindred to those which unified the South in secession, but greater because wider spread. Its physical constitution answered in 1861 for the Northern mind that written constitution to which the South appealed. The Mississippi River, natural outlet to the sea for a new-born empire, was to it a greater interpreter of that constitution than the opinions of statesmen who lived before the great republic spanned the Father of Waters. * * * We are not of the North but of the South; yet now like all Americans we are both of and for the Union, bound up in its destinies, contributing to its support, seeking its welfare. As he was the hero in war who fought the bravest, so he is the hero now who puts the past in its truest light, does justice to all, and knows no foe but him who revives the hates of a bygone generation.

Six years later he is addressing the Senate of the United States on the occasion of President Cleveland's Venezuelan message:

The British minister, George Canning, boasted in 1823 that he had called the New World into existence to redress the balance of the Old. If those who sympathize with Great Britain in this generation possess Canning's prescience, they must know that this Republic will not permit those balances to be disturbed by the weight of an iron hand, nor that New World to be made the prey of European adventurers; they must know that America's answer was final; they must know that if all Europe were to form itself again into a new conspiracy of kings to make spoil of any portion of the American continents, under any kind of cloak or pretext, and were to lay hands of violence for that purpose upon any, even the weakest of our neighbors, the United States would rise and face embattled Europe as one man, American sailors would scourge the sea from pole to pole, and six millions of American soldiers would spring to their guns.

Again in 1900 Daniel was the spokesman of the Senate at the joint assembly of the two Houses of Congress, met to celebrate the centennial of the first session of that body.

Great peoples are made of the mixture of races, like the beautiful bronzes which are composed of many metals. The brightest and bravest blood of the world's great races is mixed in our blood. This is the only great Nation that ever passed through its formative conflicts without inflicting in a single case the penalty of death for a political cause. Does not this fact alone speak volumes for free thought, for free speech, for the Government of the people, for the high character of the American? If we have had strife it has been the proud and lofty strife of the brave and the true, who can cherish honor, who can cherish principle, who can cherish love, but who can not cherish hate. And be this never forgotten; our only strife was over the heritage which empire foisted upon our ancestors against their will and which the Republic has removed forever. Great problems lie before us—race problem, trust problem, Philippine problem. We may well view these and others with deep solicitude and anxious reflection. But if our problems be mighty, they grow out of our might and have the mighty to deal with them. They come to those who have never been confounded by problems and have never dodged one; who have solved problems just as great or greater than any now presented; who have left them all behind with monuments of their solution builded over them.

These citations have been chosen to illustrate the gradual evolution of Daniel's conception of the problems of American statecraft. They exhibit also, better than any formal analysis could do, the slow

transformation of his oratorical style. That style remained to the end affluent, ornate, earnest, serious; the part of the jester, the part of the wit, the part of the cynic, the part of the buffoon—these were not Daniel's parts. But we may see how year by year useless ornament was pruned away; how year by year his periods were packed closer and closer with thought; how year by year he seemed to lift his auditors to higher planes of feeling and meditation. What had been florid became simple; what had been intricate became direct; what had been abstract became concrete. It would be too long to apply a like analysis to his splendid eulogies of the great Confederate leaders—of Jackson and Lee and Davis and Early; or to his addresses on the historic events and figures of the earlier epoch of the American Republic—the Battle of King's Mountain, Washington, Jefferson, Pocahontas. To signal out one or another for special praise would be invidious when all are of merit so distinguished, jeweled with passages of consummate beauty, and glowing throughout with an inward radiance of tender loyalty and devoted patriotism. It is commonly said that Daniel himself ranked his discourse upon the Battle of King's Mountain and his oration on Lee as, perhaps, the happiest of his formal addresses. Those who care for such distinctions will find much in these splendid examples of his eloquence to justify their claim to preeminence; but if, after reading Lee, you turn to Washington, or after reading the Battle of King's Mountain you turn to the Gettysburg Campaign, you may yourself be tempted to reverse your own verdict.

When we pass from the study of Daniel's career in detail to the contemplation of his genius and character as a whole, when we ask ourselves what was the true secret of his power, we are at once confronted with a fact of deep significance—his profound unlikeness to the men of his own generation. Call the roll of post-bellum governors, Congressmen, Senators from Virginia; you will find none like Daniel. Summon memory to bring back the great figures who have filled the stage of our national history during the decades of his public life; you will find not one like Daniel. His heart was warm and kind, his nature affectionate and tender, his spirit attuned to the sincerities of friendship; and yet there was in him a certain aloofness, a certain remoteness, a certain withdrawing from the familiar contacts of life. Men said that he was not a mixer; and yet he was preeminently a mixer; nearer to the plain common people than to their leaders; nearer to the farmer between the plow handles than to his colleague in the Senate; nearer to the man in the street than to the judge upon the bench or the governor in his chair of office. Men said that he was not a machine politician; but in truth no man believed more thoroughly in political organization, no man followed more loyally the party flag; only he was closer in spirit to the voter than to the candidate, nearer to the worker at the polls than to the manager of the campaign. Men said that he was impatient of detail and indifferent to private and personal interests; yet his legal treatises, his debates in Congress, his public addresses demonstrate a passion for detail, and his ardent eulogies of his comrades in arms show fathomless depths of sympathy and appreciation for his fellow men.

The differences which marked him off from the other statesmen of his own epoch showed plainly in the subjects which attracted his interests and excited his enthusiasms. With but two exceptions

Daniel's problems were the problems of an earlier age. The problem of enlarging the power and distinction of the Nation without infringing upon the rights of the States to the amplest measure of local self-government; the problem of guaranteeing to our sister Republics in the two Americas the blessings of representative government, unhampered by European control; the problem of extending throughout both American Continents the reign of righteousness and peace, of prosperity and order, of free speech and popular government—these problems and problems like them were the problems which came near to his heart. Daniel's problems were the problems of the fathers of the Republic; the problems of Washington and Jefferson, the problems of Madison and Monroe, the problems of the Nation rather than of a party. He conceived them as they might have conceived them, he attacked the solution as they might have attacked it. In this kinship of the great men of a great past we find the true secret of Daniel's strength. Listen for a moment to the noble profession of his political faith:

There is something in this country greater than party. There is something higher than a convention platform. It is principle and country and kind. Thank God we are people of one language; of one law; and of a spirit that sticks to right and will do it—as God grants us to see the right—regardless of consequences to ourselves.

The burning questions of our modern politics seemed alien to Daniel and as a rule he eschewed them. "Race problem, Philippine problem, trust problem," he says in one of his orations: "What will you do with them? This is not the time, nor am I here to answer." Twice and twice only he attacked with his full force a modern question; and on both questions the historic evolution of economic laws has put him in the wrong. The one was the question of fiat money, as it is called; of an irredeemable national bank-note currency. The other was the question of national bimetallism, of the free coinage of silver. Under peculiar industrial conditions and for a brief period, from 1851 to 1872, international bimetallism seemed to be a defensible proposition. After 1872 it steadily lost ground; the logic of facts, more potent than the logic of the schools, was against it; in 1878 the last 5-franc piece was coined by the Latin Union and international bimetallism came to its predestinated end. National bimetallism never enlisted one competent defender; yet for 15 more years this fiscal nightmare tormented America, and it was not until the closing of the two great markets for silver (the United States and British India) in 1893 that it received its coup de grâce. Daniel was weak where Jefferson was weak; as Jefferson failed to grasp the merit of Hamilton's financial measures, so Daniel failed to read correctly the fiscal history of the modern world. Some men say that Daniel in the end recanted; I can not find that he ever recanted; he simply saw that the battle had gone against him, and kept silence. He himself declared in after years that he fought the free-silver fight to the last ditch.

This noble monument which we unveil to-day is therefore more than the memorial of a great and good man. It is the memorial of the end of an era. It is the effigy of the man who interpreted that era to the modern world with an eloquence, a beauty, a sweetness, a nobility that men who knew him can never cease to remember and to reverence. His aspect was that of an earlier world—the aspect of a patrician, serene and calm and almost beautiful. His courtesy was

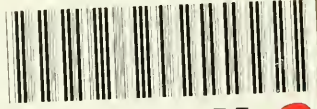
that of an earlier world—grave, gracious, with a certain sweet sincerity and yet also with a certain proud reserve. His eloquence was that of an earlier world—copious, ornate, solemn, touched always with emotion, flushed often with passion, appealing at once to the head and to the heart. His modes of thought were of that earlier world—deductive rather than inductive, “seeking the fountain rather than following the stream,” ideal rather than practical, the thoughts of a philosopher rather than the thoughts of an empiric. His patriotism was of that earlier world—he loved Virginia best, and in our common country he but loved a greater Virginia. The axioms of his personal life were of that earlier age—a loyal friend, a chivalric foe, a devoted son, a tender husband, a solicitous father; he painted his own portrait when he described the man who could cherish honor, who could cherish principle, who could cherish love, but who could not cherish hate. This august bronze will figure for coming generations, for your children and your children’s children, not Daniel alone but that earlier age of which Daniel was the essential product and the latest flower. When the time comes to assess his value as a statesman, to weigh and to measure his gifts and his genius, he must be compared not with the men of his own epoch, but with the statesmen of that earlier day. If the speaker were required to assign to John Warwick Daniel his just place in that great company, he would rank him below Daniel Webster, or Henry Clay, or John C. Calhoun; but higher than John Randolph of Roanoke, higher than Alexander H. Stephens, higher than Jefferson Davis.

The private life of a great publicist is for his family, his home, his intimate friends—not for the public. Yet, concerning Daniel, there are things which may be said without transgressing the bounds of decency, and for our learning these things ought to be said. When we think of Daniel, there are two things never to be forgotten. With genius and opportunities which might have commanded rich recompense and laid the foundation of a great fortune, he gave his days and nights of toil freely to his country and lived and died a poor man. With honorable wounds, which never ceased to ache and which at last broke the strength of even his stalwart frame, his labors were unceasing, his industry unremitting; neither pain nor weariness could still his active brain or deaden the generous beating of his knightly heart. On an occasion like the present Daniel himself summed up that which may decorously be said. Let us use concerning him the eloquent words which he used over the ashes of the martyred McKinley:

I do not seek to canonize him as a saint or exalt him as a demigod. He was neither; such ranks do not belong to men. He doubtless had his faults; at least this I assume, for he was a man, and there is none perfect—no, not one—but he was a Christian and a gentleman. He made mistakes and errors, as have done the great and the small, the good and the bad, the wise and the foolish; but benignity beamed in his countenance, charity was in his heart and in his hands, and if none threw stones save those who had lesser faults than he, stones would lie still and hands hang down. In the sum of his qualities there was a noble aspect, a genial influence, a friendly attractiveness, an upward and onward exhortation. There was also a subtle magnetism—a nameless something that drew men to him and made good women honor and love him. He loved his fellow men; there was the true touchstone of his nature. He said all he could to cheer them; he did the best he could to serve them. This, to my understanding, is what is meant by true glory.

Makers
Syracuse, N. Y.
PAT. JAN. 21, 1908

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